ORS Announces “Allowability Panel”

The University’s program of grants assessment, carried out by the Office of Audit and Compliance (OAC) and the School of Medicine’s Office of Research Integrity and Compliance (ORIC) over the past two years has revealed many instances of potentially unallowable costs. Costs on sponsored projects are permitted if they meet the criteria of allowability, allocability, and reasonableness. In many instances, identical charges may be allowable on one grant but not on another. Because the question of permitted costs is fact driven, it is impossible to say that every cost is always allowable on every award.

Experience has shown that assessment teams vary in their interpretations and that grants administrators often consult with colleagues or call ORS to seek suitable answers on these often nuanced questions. In order to avoid inconsistencies in answers, questions regarding permissible costs must be directed to ORS (Sponsored Projects Policy No. 2126) and a determination of allowability on the specific costs will be made according to:

a. The terms and conditions of the award  
b. The sponsor’s award administration documents  
c. University Policy  
d. Federal cost principals (OMB Circular A-21) if applicable  
e. If necessary, consultation with the sponsor

ORS has formed a panel of knowledgeable individuals from ORS, OAC, and ORIC who will make informed judgments on the allowability of questioned costs. The goal of this panel will be to provide uniform guidance on the allowability of costs. From time to time the panel will also publish redacted case studies in the ORS newsletter in order to inform the research community.

For further information or questions regarding questioned costs contact abrud@pobox.upenn.edu with the Subject Line: “Allowability of Costs”. Questions on allowability should fully describe the nature of the questioned cost, identify fully the sponsored project award, and describe why an examination of the questioned costs has not resolved the issue.
PennERA update

PennERA (Electronic Research Administration) continues to move forward with near-term solutions as the project progresses into the next phase of development. The AIS Online has been live since October 11, 2004, and has been a success with users steadily accessing the web-based reports. As of November 1, the statistics were as follows:

- 676 AIS documents were generated
- 471 users have accessed the system
- 551 times that an Online AIS has been accessed

To access the AIS Online (only for AIS’s that you received notice were set up and ready to be viewed online), go to https://galaxy.isc-seo.upenn.edu:7778/ws/benreports, log in with your PennKey and PennKey password, and click on the “AIS Online” link at the bottom of the page.

The PennERA team is also close to finalizing plans for an End-User Support model. Over the last several weeks, the team has met with focus groups comprised of representatives from across the schools and centers. In the focus group sessions, the team discussed the goals of the End-User Support initiative, outlined benefits of the support structure, presented the proposed model, and received feedback.

Based on the analysis and needs identified by the research community, a recommendation is currently being completed. The tentative plan is to implement a three-tiered model similar to BEN Helps. The support model will provide a way for users to get answers to operational and technical questions by placing a single phone call to a help-desk number. More information on end-user support will be forthcoming as the plans are finalized.

Other developments

Development is also continuing on the Release 10 Upgrade and other near-term solutions including the Protocol Summary Benchmark Report and recommendation for a Research Portal. Stay tuned for additional updates as the project progresses.

For the most current information, please visit the PennERA web site at http://www.pennera.upenn.edu/. If you have any questions, comments, or suggestions, please send an e-mail to pennera@pobox.upenn.edu.

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--Andrew B. Rudczynski, Ph. D.,
Executive Director of Research Services and Associate Vice President of Finance
--Joseph R. Sherwin, Ph.D.,
Director of the Office of Regulatory Affairs
Research Involving Recombinant DNA Molecules: NIH Guidelines.

On September 17, NIH published an updated version of the NIH Guidelines for Research Involving Recombinant DNA Molecules.


The NIH Guidelines for Research Involving Recombinant DNA Molecules (NIH Guidelines) stipulate biosafety and containment measures for recombinant DNA research. Furthermore, they outline essential ethical principles and key safety reporting requirements for human gene transfer research.

Investigators at the University of Pennsylvania need to adhere to the NIH Guidelines when performing research involving recombinant DNA molecules, even research projects which are privately funded. A fully indexed and easily navigated version of the NIH Guidelines can be accessed at: http://www4.od.nih.gov/oba/rac/guidelines/guidelines.html

Please note that Investigators conducting human gene transfer research at the University of Pennsylvania must comply with Appendix M of the NIH Guidelines. Appendix M outlines points to consider in the design and submission of these protocols. Under Appendix M, investigators conducting trials subject to the NIH Guidelines must register their protocols with NIH Office of Biotechnology Activities and provide certain information about the trials for review by the NIH and, possibly, the NIH Recombinant DNA Advisory Committee.

NIH Announces Revised Policy: Applications that Include Consortium/Contractual Facilities and Administrative Costs

Notice Number: NOT-OD-05-004
Release Date: November 02, 2004
Issued by: National Institutes of Health (NIH), (http://www.nih.gov/)

This Notice supersedes Notice NOT-OD-04-040 “Change in Direct Cost Limitations on Solicited Applications,” and broadens the scope of the policy change to apply to all applications involving consortium/contractual facilities and administrative (F&A) costs, regardless of amount of budget or budget format (e.g., modular and non-modular). This change is effective for applications that have submission/receipt dates on or after December 1, 2004.

This policy applies to all solicited and investigator-initiated applications. For solicited applications, this policy change now applies to all currently active announcements (Request for Applications and Program Announcements), regardless of the announcement issue date.

This policy is particularly relevant to all applications that include a limitation on direct costs. While consortium F&A costs will continue to be requested and awarded, applicants will now separate these costs when determining if a budget exceeds a direct cost limit.
This policy impacts eligibility to submit a modular budget. The modular budget format continues to be used for applications requesting $250,000 or less in direct costs per year. However consortium/contractual F&A costs are no longer factored into this direct cost limit. They may be requested in addition to the $250,000.

The policy also impacts applications requesting a budget of $500,000 direct costs or more for any year. These applications continue to require prior approval from Institute/Center staff; however this limit is now exclusive of any consortium F&A costs.

Note: The implications of this policy do not affect the Small Business Innovation Research (SBIR) and Small Business Technology Transfer (STTR) programs since the statutory budget guidelines are based on total costs, not direct costs. SBIR/STTR applicants should continue to use the PHS 398 grant application forms in accordance with the instructions in the current Omnibus Solicitation for SBIR/STTR applications and the PHS 398.

The PHS 398 (9/2004 version) will be accepted for submission/receipt dates on or after December 1, 2004. This version, which will be available on/about November 2, 2004, includes detailed instructions for applicants to appropriately apply this policy change. To minimize confusion in budget preparation, applicants are urged to use this new version for applications impacted by this policy. A separate Guide Notice (NOT-OD-05-006) announces details of the PHS 398 availability.

As stated in NIH's ROADMAP Research Teams of the Future, the broader implementation of this policy allows applicants to propose appropriate costs in support of interdisciplinary research and research teams. If you have questions on this Notice, please contact the Grants Management Specialist listed in the RFA/PA, or the Division of Grants Policy at (301)435-0949.

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**Did you know that…?**

…The HHS OIG has announced that it will be conducting five pilot audits on the east coast. The focus will be effort reporting, subrecipient monitoring, administrative and clerical expenses, cost transfers, and cost sharing. It was indicated to the Council on Governmental Relations that both the University of Rochester and Thomas Jefferson University have been contacted.

…Requests to sponsors must be reviewed, approved, and signed by an Authorized Institutional Official (ORS). Such requests include but are not limited to: change in scope of work, reducing committed effort, no-cost extensions, and any other request that would alter the terms and conditions of the award.

…The Meals & Entertainment Policy No. 2358 has been revised and will go into effect December 1, 2004. The Policy is available for review at: http://www.finance.upenn.edu/vpfinance/fpm/2350/2358.shtml

…Sponsored Projects Policy No. 2134 Expense Approval and Documentation Requirements is posted. The Policy is available for review at: http://www.finance.upenn.edu/vpfinance/fpm/2100/2134.shtml.

April Johnson has joined ORS as a new Accounts Receivable Accountant.
Frequently Asked Questions . . .

I have some costs which I just noticed were charged to the wrong grant fund six months ago. I want to move them to the correct grant fund where the charges should have hit. How do I do this?

The response to this question is that you can not do this transfer. While a transfer must occur to remove the charges from the grant fund where they were incorrectly charged, the charges can not be moved to another grant fund. Due to the amount of time which has passed since the charges were made, they must be moved to a non-grant source. Per Sponsored Programs Policy 2113, cost transfers must be prepared and submitted within 90 days from month end in which the transaction appears on the fund. Once this date has passed, transfers can no longer be made to a grant fund. Any transfers done beyond 90 days (per the terms of our policy) would be out of compliance and would be subject to disallowance in an audit. This policy is reproduced in its entirety below. Please note that it applies to payroll reallocations as well as other types of cost transfers.

Any questions regarding cost transfers or this policy should be directed to an ORS Post Award staff member.

Subject: Sponsored Projects
Title: Cost Transfers and Payroll Reallocations
No.: 2113
Effective: Dec. 1986
Revised: Aug. 2004
Responsible Office: Research Services
Approval: Research Services

Purpose
To ensure the allowability and timeliness of transfers of incurred costs, both payroll and other direct costs, to sponsored projects.

Definition
A cost transfer is defined as the moving of an expense to a sponsored project (including but not limited to clinical trials, training grants, research grants/contracts/cooperative agreements as identified in Sponsored Projects Policy No 2101) when the expense was initially charged to another account. Cost transfers, or moving an expense, include salary charges transferred through payroll reallocations as well as other direct costs. A pattern of cost transfers from a sponsored project may also indicate poor awards management.

Policy

1. The principal investigator is responsible for ensuring that transfers of costs to sponsored projects, which represent corrections of errors, are made promptly. Transfers must be
supported by documentation which contains a full explanation of how the error occurred and a correlation of the charge to the project to which the transfer is being made. Explanations such as “to correct an error” or “to transfer to correct project” are unacceptable.

2. Prudence dictates that care must be exercised in making any cost transfer, especially transfers made after termination date of a project and/or the reporting period of a project (i.e., annual financial reports). Transfers of costs to any sponsored project account are allowable only where there is direct benefit to the project account being charged. The transfer of an overdraft or any direct cost item incurred in the conduct of one sponsored project may not be transferred to another sponsored project account merely for the sake of resolving a deficit or an allowability issue.

3. Cost transfers must be prepared and submitted within 90 days from month end in which the transaction appears on the fund.

4. Cost transfers may be made, provided the following conditions are met:
   - The cost is a proper and allowable charge to the project;
   - The transfer is supported by adequate documentation fully explaining the circumstances under which the error occurred and certified by the principal investigator and business administrator, as described in 1. above; and
   - Transfers which are not made promptly, due to extenuating circumstances, must include an adequate explanation why there was a delay in correcting the error.

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**Getting to know your ORS Staff:**

**Jim Clavin**  
**Assistant Director**

**Years at Penn:** 9

**Years in Research Services:** 9

**What he does:** Assistant Director, Financial Reporting and Invoicing

**Hobbies/Interests:** Golfing, music and needle point (in that order)

**Favorite Foods:** A great steak, seafood and anything on the grill.

**Favorite ways to spend a vacation:** Relaxing on the beach during the day and fine dinning at night, exploring new places and things, drink in hand at the beach bar at Pasanggrahan in St. Maarten.

**What Co-workers say:**

…Jim’s years of experience at the University combined with his understanding and patience make him an invaluable member of the ORS staff. I only wish that these professional and personal qualities could somehow help his golf game.

…Being a ten year employee, Jim has shown the professionalism and loyalty Penn expects from its personnel, as well as being a good friend and co-worker to his colleagues at Research Services.

…He is shy, has a great sense of humor and likes to dance.
The Office of Research Services is pleased to announce the publication of its Sponsored Projects Handbook. The Handbook merges the Research Investigator’s Handbook and the Sponsored Programs Manual. The Handbook has been extensively revised to recognize current University policies, be consistent with sponsor grant administrative requirements, and to serve as a ready reference source.

The Sponsored Projects Handbook gathers in one place existing policies and procedures for the administration of funding directed to research, training, and other sponsored projects at the University of Pennsylvania. It is important for all research investigators and administrators to be aware of these policies and procedures to better meet their individual responsibilities and to permit the University to manage and monitor its commitments and resources.

Faculty and staff members who conduct sponsored projects under University auspices have an important public, as well as personal, responsibility to manage those projects carefully. The Sponsored Projects Handbook will help research investigators fulfill that responsibility. Its purpose is to acquaint new investigators with the research policies and procedures of the University, to inform them of the various services available to them, and to serve for all investigators and administrators as a reference and guide to further information and assistance. While greater emphasis and space are given to sponsored research, the policies and procedures outlined generally apply to other sponsored projects, such as training grants.

Investigators and administrators should be mindful that portions of this Handbook may be superseded by policy memoranda, or changes in sponsors’ policies and regulations. While every attempt will be made to keep the materials herein timely, ultimately the most current information will be found in specific sponsor documentation and award documents.

We hope the Sponsored Projects Handbook will be of assistance to the faculty and staff in the administration of sponsored research and other projects. Please send your comments and suggestions for change to abrud@pobox.upenn.edu.

The handbook can be accessed from our homepage or by clicking on Sponsored Projects Handbook.
New Cost Sharing Policy for NSF

The National Science Board approved a new cost sharing policy for National Science Foundation (NSF) awards. The policy eliminates program-specific cost sharing, requiring only the existing statutory cost sharing of 1%. Effective on October 14, 2004, the policy applies to all new NSF program solicitations issued after that date. The elimination of program-specific cost sharing should help ease the financial burden of new and expanded compliance requirements.

While this is a very welcome development, we continue to hear from other institutions about other agencies pressuring investigators and research administrators to cost share, at the risk of losing a grant or being declared ineligible. In attempting to fend off such cost sharing pressures, remember that OMB issued a policy directive to agencies in June 2003, stating federal-wide policy on financial assistance program announcements (June 23, 2003 Federal Register, pages 37369-37379). There are two important sections in this Directive that address cost sharing:

1. The first is on page 37377 under Eligibility Information - Cost Sharing or Matching. OMB requires that that the agency state whether cost sharing is required for an applicant to be eligible for an award. The Directive also requires that if cost sharing is not required, the announcement must explicitly say so. Cost sharing as an eligibility criterion includes requirements based in statute or regulation, as well as those imposed by administrative decision of the agency.

2. The second, on page 37378, under Application Review Information - Criteria, OMB spells out the agency requirements if cost sharing is an evaluation criteria. The announcement must specifically address how cost sharing will be considered in the evaluation. If cost sharing will not be considered in the evaluation, the announcement should say so, according to OMB, so that there is no ambiguity for potential applicants. To quote OMB, "Vague statements that cost sharing is encouraged, without clarification as to what that means, are unhelpful to applicants."

Also, remember that agency and program official attempts to restrict F&A rates constitute cost sharing covered by the OMB Directive.

Therefore, agencies and program officials who try to threaten, encourage, cajole, or use other means to extract cost sharing that is not required in the program announcement as described above, are in violation of the OMB Directive. It would be a perfectly reasonable course of action for university representatives to insist on compliance with the OMB Directive, in writing if necessary, with notification to OMB. Please contact Andy Rudczynski at abrud@pobox.upenn.edu or 215-573-9249.
Training Opportunities:

ORS Quizzes and FAQ’s:

Take a moment to look at our quizzes or FAQ section for more guidance on administering 5-funds here at Penn. Both can be accessed by clicking Training on our home page (http://www.upenn.edu/researchservices/).

Available from ORS:

Sponsored Programs at Penn
December 2nd and 3rd

ORS is once again offering their workshops on “Sponsored Programs at Penn”. This two-day program is intended for administrative and other support staff at the University who manage grant and contract accounts. The program is a series of workshops that will cover the life cycle of extramural research from proposal preparation to account closeout. Topics include Proposal Preparation & Processing, Contract Negotiation, Award Acceptance and Account Set-up, Financial Compliance & Allowability, Post Award Management, Reporting Tools and Data Sources, Closeouts, and Audits.

This program has been designed to provide a comprehensive introduction to the basic knowledge required to effectively monitor and manage grant funds at Penn. The program is being offered on December 2nd and 3rd 2004. Please see the Financial Training Department Website for registration information. For more information or to register, please go to: http://www.finance.upenn.edu/ftd/courses.html

Outside Upcoming Training:

National Council for University Research Administrators (NCURA)

Financial Research Administration Conference, FRA IV
Orlando, February 20 – February 22.

For further information or to register, please go to http://www.ncura.edu/conferences/fravi/.

November’s Contributing Authors, ORS Newsletter:

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Teresa Leo, PennERA/PennERS Communications Specialist, Information Systems and Computing
Kerry Peluso, Director of Post Award Financial Administration, Office of Research Services
Andrew B. Rudczynski, Associate Vice President for Finance and Executive Director, Office of Research Services
Todd Swavely, Associate Director –Penn ERA, Project Manager, Office of Research Services
Alice Tangredi-Hannon, Institutional Compliance Officer, Office of Audit and Compliance
Pre-Award Administration Staff

The Pre-award staff is responsible for processing proposals, reviewing, negotiating, and accepting awards (except for corporate contracts), as well as, providing post-award non-financial administration for these accounts. Questions concerning issues such as no-cost extensions, carryover requests and other administrative matters should be directed to the appropriate pre-award contact. Questions concerning **industrial clinical trial agreements and sponsored research agreements** should be addressed to the Corporate Contracts Group.

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- Institute for Human Gene Therapy – SOM
- Institute for Neurological Sciences – SOM
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- Orthopedic Surgery – SOM
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- Physiology – SOM
- School of Medicine, Institute for Medicine & Engineering – SOM
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- Cell & Developmental Biology – SOM
- Center for Bioethics – SOM
- Dermatology
- Geriatrics – SOM
- Microbiology – SOM
- Ophthalmology – SOM
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Post Award Administration Staff

The main functions handled by these ORS staff members are the preparation of financial invoices and reports, coordination of audits, collection of receivables, cash management functions, and close out of funds. The Federal Compliance Group handles facilities and administrative costs, employee benefit rates, effort reporting, and compliance issues. Contact Information for all areas is provided below.

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  - Dermatology
  - Neurology
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  - Institute of Neurological Sciences
  - Medical School
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- Morris Arboretum
- University Museum

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- Van Pelt Library
- Wharton School
- School of Arts & Sciences:
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  - Systems Engineering
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Office of Research Services

About Our Organization...

Our Mission

The Office of Research Services (ORS) oversees the administrative support of the University's externally funded research and is responsible for implementation of University policies established for this purpose. An important part of the ORS mission is service to the research faculty, through the provision of information and advice for the development of applications, and assistance in the administration of awarded grants and contracts.

In this role, ORS

- Supports the schools and centers in the development of proposals for grants and contracts;
- Reviews and approves all proposals before submission to the potential sponsor;
- Coordinates negotiations of awards;
- Accepts awards for the University, including the signing of contracts;
- Provides oversight and guidance to faculty and staff concerning the proper management of sponsored projects;
- Prepares all financial reports to sponsors.

In addition to these functions, ORS is responsible for billing of contracts management of letters of credit for payment of grants, preparation of the facilities & administrative and employee benefit rate proposals and rate negotiations, management of the effort reporting system, and oversight of service center rate development. ORS reports jointly to the Senior Vice President for Finance & Treasurer and Vice Provost for Research.

Office of Research Services
Quick Contact List:

ORS General Phone Numbers:
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